

OFFICE OF THE STANDING CHAPTER 13 TRUSTEE
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE:

Case No: 23-41975-MXM

VINCENTE DWYNE LOCKRIDGE

Court Hearing:

Time & Date: 8:30 AM on

Thursday, September 21, 2023

Debtor,

TRUSTEE'S OBJECTION TO CONFIRMATION

TO THE HONORABLE MARK X MULLIN, U.S. BANKRUPTCY JUDGE:

Now comes Tim Truman, the Standing Chapter 13 Trustee, and files this his "Trustee's Objection to Confirmation" of the Plan heretofore filed herein by Debtor, and for the same would respectfully show the Court as follows:

The Plan fails to meet the "disposable income" requirements of 11 U.S.C. Section 1325 (b) (1) (B) since the Plan does not propose to pay all of the Debtor's disposable income for the applicable commitment period to the Debtor's unsecured creditors.

The Plan provides for an unsecured creditors' pool ("the pool") of \$5,514.60. The Trustee has calculated a pool of \$36,966.60 based on a monthly disposable income of \$616.11 over a 60 month applicable commitment period, with the following add-backs, if any:

Add back line 13f and 33c/2015 Nissan paid for and driven by son \$629.00

The Debtor has failed to meet the requirements of 11 U.S.C. Section 1325(a)(9). The Trustee would show, on information and belief, that the Debtor has not filed all applicable federal, state and local tax returns as required by Section 1308 of the Bankruptcy Code. As of the date of the 341 meeting 8/16/2023, the returns for the following tax years had not been filed: **2021,2022**. Therefore, the Trustee is unable to recommend Confirmation of the Plan.

The Trustee would show that the Debtor has not provided to the Trustee their federal income tax return for the calendar year **2022**, and thereby has failed to cooperate with the Trustee as required by Section 521(a)(3) of the Bankruptcy Code. Therefore, the Trustee is unable to recommend Confirmation of the Plan.

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that said Plan not be confirmed unless and until it has been modified to cure all objections set forth hereinabove, and for general relief.

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Respectfully submitted,

By: /s/ Tim Truman

Tim Truman, Bar # 20258000
Standing Chapter 13 Trustee
Angela Allen, Bar # 007869700
Staff Attorney

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing "Trustee's Objection to Confirmation" was served on all parties listed below in the manner listed below on or before August 18, 2023.

/s/ Tim Truman

Tim Truman, Angela Allen

BY FIRST CLASS MAIL:

VINCENTE DWYNE LOCKRIDGE, 4328 ENDICOTT DR, GRAND PRAIRIE, TX 75052-0000

BY ELECTRONIC SERVICE:

LEINART LAW FIRM, 10670 N CENTRAL EXPWY #320, DALLAS, TX 75231

United States Trustee, 1100 COMMERCE STREET, ROOM 976, DALLAS, TX 75242